

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

JANET JENKINS, FOR HERSELF AND
AS NEXT FRIEND OF ISABELLA
MILLER-JENKINS, A/K/A ISABELLA
MILLER,

Plaintiffs,

v.

KENNETH L. MILLER, LISA ANN
MILLER F/K/A LISA MILLER-
JENKINS, TIMOTHY D. MILLER,
ANDREW YODER, INDIVIDUALLY
AND AS AN AGENT FOR CHRISTIAN
AID MINISTRIES, INC., CHRISTIAN
AID MINISTRIES, INC., RESPONSE
UNLIMITED, INC., PHILIP
ZODHIATES, VICTORIA HYDEN,
F/K/A VICTORIA ZODHIATES
INDIVIDUALLY AND AS AN AGENT
FOR BOTH RESPONSE UNLIMITED,
INC., AND LIBERTY UNIVERSITY
AND ITS RELATED MINISTRY
THOMAS ROAD BAPTIST CHURCH,
INC., LIBERTY UNIVERSITY, AND ITS
RELATED MINISTRY THOMAS ROAD
BAPTIST CHURCH, INC., LINDA M.
WALL, INDIVIDUALLY AND AS
AGENT FOR THOMAS ROAD BAPTIST
CHURCH, INC., AND DOUGLAS
WRIGHT,

Defendants.

Docket No. 2:12-cv-184-wks

PLAINTIFFS' MOTION TO AMEND COMPLAINT

NOW COME Plaintiffs by and through their attorneys, Langrock Sperry & Wool, LLP, and Sarah R. Star, Esq., Attorney and Counselor at Law, P.C., and hereby move to amend to file a Second Amended Complaint, as invited by the Court's order on the Defendants' Motions to Dismiss, dated October 24, 2013. The proposed Second Amended

Complaint is attached hereto as Exhibit 1. A redline comparing the Amended Complaint with the Second Amended Complaint is attached hereto as Exhibit 2.

Under F.R.C.P. 15(a)(2), Plaintiffs may amend their pleading with the Court's leave, and the Court should "freely give leave when justice so requires." F.R.C.P. 15(a)(2). Further, leave to amend "should not be denied unless there is evidence of undue delay, bad faith, undue prejudice to the non-movant, or futility." *Milanese v. Rust-Oleum Corp.*, 244 F.3d 104, 110 (2d Cir. 2001). This motion is brought within the time limit set by the Court in its October 24, 2013 order, and it proposes amendments in compliance with the rulings of the Court in the aforementioned order. Thus, there is no evidence of undue delay, bad faith, undue prejudice, or futility. Accordingly, Plaintiffs ask that the Court permit Plaintiffs to file a Second Amended Complaint.

DATED AT Middlebury, Vermont, this 11th day of December, 2013

LANGROCK SPERRY & WOOL, LLP

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